

UNITED STATES DISTRICT COURT  
for the  
Southern District of Texas

AUG 14 2014

*Clerk of Court*

United States of America )  
 v. )  
**Pedro INFANTE** ) Case No. *m-14-1562-m*  
 DOB: 1986 )  
 United States Citizen )  
 \_\_\_\_\_  
*Defendant(s)*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 08/13/2014 in the county of Hidalgo in the  
Southern District of Texas, the defendant(s) violated:

*Code Section**Offense Description*

**18 USC 922(g)(1)** possession of a firearm by an individual having been convicted  
 of a felony

This criminal complaint is based on these facts:

## See Attachment A

Continued on the attached sheet.

*Approved by*  
*ATF/KDR*

*David B. Weiss*  
 Complainant's signature

**David B. Weiss - ATF Special Agent**  
 Printed name and title

Sworn to before me and signed in my presence.

Date: 8-14-14

*Dorina Ramos*  
 Judge's signature

City and state: McAllen, TX

**U.S. Magistrate Dorina Ramos**  
 Printed name and title

**ATTACHMENT A**

I, Special Agent David B. Weiss, affiant, do hereby depose and state the following:

I am a Special Agent of the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). I have been a law enforcement officer since April 2007.

1. My duties include the investigation of violations of Federal firearms laws. I know it to be unlawful for any person who has been convicted of a crime punishable by more than one year in prison to possess a firearm.
2. On August 13, 2014, in McAllen, Texas, ATF Special Agent David B. Weiss was contacted by a police officer from Pharr Police Department (PD) regarding a traffic stop involving Pedro INFANTE. During the traffic stop a Smith and Wesson, SW40VE .40 Caliber pistol SN: PBH8295 was recovered from INFANTE's vehicle. This pistol is manufactured outside of Texas and affects interstate commerce.
3. Pedro INFANTE's vehicle was stopped by Pharr PD for speeding. While conducting the traffic stop the Pharr PD officer asked for consent to search the vehicle. The consensual search resulted in the recovery of the pistol. Record checks showed that INFANTE has a prior felony conviction and is currently under indictment for murder. Following the search, INFANTE was taken into custody by the Pharr Police Department for possession of a firearm. Pharr PD notified ATF of INFANTE's status and ATF agents went to interview INFANTE.

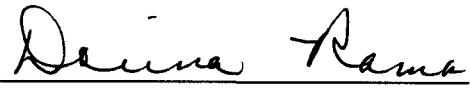
**ATTACHMENT A**

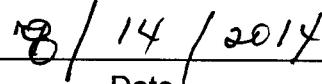
4. After arriving INFANTE was read his Miranda Rights and agreed to be interviewed by ATF Special Agents. INFANTE stated that the firearm in the vehicle belonged to him. INFANTE stated that he was aware that he is not allowed to legally possess a firearm. INFANTE stated that he purchased the firearm approximately two weeks ago on or around August 2, 2014. INFANTE stated he had purchased the firearm to protect himself and his family. INFANTE stated that he had handled the firearm and that he was the one who placed it in the car.

5. Record checks show that INFANTE was convicted of a narcotics felony in 2013 (CR009613I).

  
\_\_\_\_\_  
David B. Weiss - ATF Special Agent

Sworn to before me and subscribed in my presence,

  
\_\_\_\_\_  
U.S. Magistrate Dorina Ramos

  
\_\_\_\_\_  
Date